



057517/0044

cp3682

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/620,224

Date of Deposit: November 21, 2003

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Applicant: Andreas Kull, et al.

By Anna Vishev  
Anna Vishev

Filed: July 15, 2003

Title: HYDRODYNAMIC BEARING, SPINDLE MOTOR AND HARD DISK DRIVE

Examiner: TBD

Art Unit: 3682

MAIL STOP DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97**

SIR:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. Copies

1. X Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

2. \_\_\_\_\_ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO on one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

3. \_\_\_\_\_ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application (MPEP 1893.03(g)).

III. This IDS is being filed under

X 37 C.F.R. § 1.97(b):

1. \_\_\_\_\_ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. \_\_\_\_\_ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. X before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. \_\_\_\_\_ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. 1.114. No fee or certification is required.

It is believed that this disclosure, pursuant to 37 C.F.R. §§ 1.97 and 1.98, complies with the requirements of 37 C.F.R. § 1.56 and the Manual of Patent Examining Procedures, Section 707.05(b). If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

There is no fee deemed necessary with this submission, however should any fee become due, the Commissioner is hereby authorized to charge the same to Deposit Order Account 500675.

Respectfully submitted,

SCHULTE ROTH & ZABEL LLP  
Attorneys for Applicants  
919 Third Avenue  
New York, New York 10022  
(212) 756-2000

Dated: November 21, 2003  
New York, New York

By: Anna Vishev  
Anna Vishev  
Reg. No.: 45,018

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|-------------------------------|----------------------|
| <b>Application Number</b>     | 10/620,224           |
| <b>Filing Date</b>            | July 15, 2003        |
| <b>First Named Inventor</b>   | Andreas Kull, et al. |
| <b>Group Art Unit</b>         | 3682                 |
| <b>Examiner Name</b>          | Not yet assigned     |
| <b>Attorney Docket Number</b> | 057517/0044          |

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|-------|---|----|---|
| Sheet | 1 | of | 2 |
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| FOREIGN PATENT DOCUMENTS |                          |                         |                     |  |  |  |    |
|--------------------------|--------------------------|-------------------------|---------------------|--|--|--|----|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     | Name of Patentee or<br>Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T6 |
|                          |                          | Office <sup>3</sup>     | Number <sup>4</sup> |  |  |  |    |
|                          |                          |                         | DE 33 32 357 C1     |  | 04/04/1985   | 1st pg corresp. US Pat. Appl<br>4,834,559  |    |
|                          |                          |                         | DE 101 00 470 A1    |  | 11/07/2002   | English Abstract   |    |
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|                          |                          |                         | EP 0 844 408 A2     |  | 05/27/1998   |  |    |
|                          |                          |                         |                     |  |  |  |    |

|            |  |
|------------|--|
| Date       |  |
| Considered |  |

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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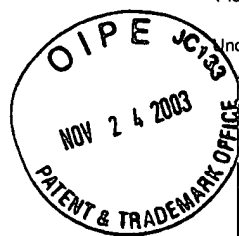
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PTQ/SB/08B (08-00)

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Substitute for form 1449B/PTO

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| Sheet | 3 | of | 3 |
|-------|---|----|---|

**Complete if Known**

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| <b>First Named Inventor</b> | Andreas Kull, et al. |
| Group Art Unit              | 3682                 |
| Examiner Name               | Not yet assigned     |
| Attorney Docket Number      | 057517/0044          |

## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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